

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
Edhadji Mbaye, and Modou Diop, *on behalf of* :
themselves and others similarly situated in the :
proposed FLSA Collective Action, :
:
Plaintiffs, : 23-CV-2967 (VSB)
:
-against- :
:
RCI Hospitality Holdings, Inc., Peregrine :
Enterprises Inc. (d/b/a Rick's Cabaret New :
York), RCI 33rd Ventures, Inc. (d/b/a Hoops :
Cabaret and Sports Bar), 48 West 33rd Street :
Corp. (d/b/a Hoops Cabaret and Sports Bar), :
RCI Dining Services (37th Street), Inc. (d/b/a :
Vivid Cabaret), Eric Langan, and Kes Senevi, :
:
Defendants. :
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ORDER AND NOTICE OF
INITIAL CONFERENCE

VERNON S. BRODERICK, United States District Judge:

This case has been assigned to me for all purposes. It is hereby:

ORDERED that the Court will not be holding an initial pretrial conference.

IT IS FURTHER ORDERED that, by October 19, 2023, the parties submit a joint letter, not to exceed three (3) pages, providing the following information in separate paragraphs:

1. A brief description of the nature of the action and the principal defenses thereto;
2. A brief explanation of why jurisdiction and venue lie in this Court. If any party is a corporation, the letter shall state both the place of incorporation and the principal place of business. If any party is a partnership, limited partnership, limited liability company or trust, the letter shall state the citizenship of each of the entity's members, shareholders, partners and/or trustees;
3. A brief description of all contemplated and/or outstanding motions;

4. A brief description of any discovery that has already taken place, and/or that which will be necessary for the parties to engage in meaningful settlement negotiations;
5. A brief description of prior settlement discussions (without disclosing the parties' offers or settlement positions) and the prospect of settlement;
6. The estimated length of trial; and
7. Any other information that the parties believe may assist the Court in advancing the case to settlement or trial, including, but not limited to, a description of any dispositive issue or novel issue raised by the case.

IT IS FURTHER ORDERED that the parties also jointly submit to the Court a proposed case management plan and scheduling order. A template for the order is available at <http://nysd.uscourts.gov/judge/Broderick>. The status letter and the proposed case management plan should be filed electronically on ECF, consistent with Section 13.1 of the Court's Electronic Case Filing (ECF) Rules & Instructions, available at <https://nysd.uscourts.gov/rules/ecf-related-instructions>.

SO ORDERED.

Dated: October 5, 2023
New York, New York



Vernon S. Broderick
United States District Judge